

DEPARTMENT OF WORKFORCE DEVELOPMENT  
DIVISION OF ECONOMIC SUPPORT  
ADMINISTRATOR'S MEMO SERIES

NOTICE 00-13

ISSUE DATE: 08/18/2000  
DISPOSAL DATE: ONGOING

RE: DETERMINING W-2  
ELIGIBILITY

To: W-2 Agency Directors

From: Jennifer L. Noyes  
DES Administrator

### **Introduction**

It has come to the Division's attention that current W-2 eligibility policy is being interpreted in varying ways among local W-2 agencies. To ensure that clients are being appropriately served, the Division is clarifying Wisconsin Works (W-2) policy regarding the appropriate criteria to be used in determining eligibility for the Wisconsin Works (W-2) program.

As provided in the 2000-2001 W-2 and Related Programs Implementation Contract, W-2 agencies must comply with the Department's Policies and Procedures. W-2 agencies must base W-2 eligibility determinations on state statutes, administrative rules and W-2 policy in determining whether or not an individual should receive W-2 services. While there is no entitlement to W-2 benefits or services, there has always been an expectation that individuals meeting the W-2 nonfinancial and financial eligibility criteria will be appropriately served. In addition, individuals do have a right to apply for W-2 and have their eligibility appropriately determined.

### **Purpose of the W-2 Program**

W-2's primary purpose is to prepare eligible parents, who are not job-ready, for unsubsidized employment to help them provide for their families and become self-sufficient members of the community in which they live. Moving individuals to self-sufficiency through employment is and has always been the ultimate goal of W-2. However, W-2 recognizes that placement on the W-2 ladder (Unsubsidized Employment, Trial Job, Community Service Job, or W-2 Transitions) may be necessary in moving individuals to self-sufficiency.

## Determining Eligibility and Placement Appropriately<sup>1</sup>

A W-2 agency must determine, based on the criteria set out in s.49.145, Stats., administrative rules at DWD 12.09, and W-2 policy, whether an individual who has applied for W-2 meets the nonfinancial and financial eligibility criteria. It is **not** appropriate for a W-2 agency to make an eligibility determination based on other criteria. Examples of incorrect criteria include:

- ◆ Determining the W-2 applicant does not need W-2 benefits or services because she/he is living with her/his parents.
- ◆ Determining the W-2 applicant does not need W-2 benefits or services because there is another adult in the W-2 group who is working.
- ◆ Determining the W-2 applicant has sufficient income to provide for her/his family's needs, even though she/he is under 115% of the federal poverty level.

For an individual who does pass the nonfinancial and financial eligibility tests (e.g., the W-2 group's income does not exceed 115% of the federal poverty level), the FEP must place the applicant on the most appropriate rung of the W-2 ladder. To determine the appropriate placement, W-2 agencies must complete an assessment of the individual's recent job search efforts, work history, education, skills, interest and abilities. Assessment information must be documented in the case record. Based on that assessment, the W-2 agency must place the individual in Unsubsidized Employment (case management services only) or a W-2 employment position, unless the individual declines the placement. If the individual declines the appropriate placement (as determined by the FEP), the individual is not entitled to another placement and can be denied W-2 services.

When an individual is receiving case management services on the Unsubsidized Employment rung of the W-2 ladder or does not meet the W-2 nonfinancial and financial eligibility criteria, the W-2 agency should take steps to ensure that the individual is made aware of other employment services available through the Job Center such as Workforce Attachment and Advancement and Welfare to Work. In addition, the agency must, as provided in Administrator's Memo 99-24, ensure that all individuals who request assistance are made aware of other supportive services such as food stamps, child care, Medicaid/BadgerCare and child support.

REGIONAL OFFICE CONTACT: DES Area Administrators

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<sup>1</sup> **Note:** Appropriate eligibility determination and placement decisions for individuals applying for Custodial Parents of an Infant Benefit are set out in Operations Memo 00-34.